

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:14 cr 30-1

UNITED STATES OF AMERICA, )  
                                  )  
Vs.                            )                                  **ORDER**  
                                  )  
KELLY HIGGINS,            )  
                                  )  
Defendant.                  )  
                                  )  
\_\_\_\_\_

**THIS MATTER** came on before the undersigned pursuant to a Motion to Dismiss Count Two in Bill in Information as to Named Defendant (#153) filed by the Government. It appears that Defendant has been sentenced in regard to count one as contained in the bill of information and Defendant's plea agreement with the Government provided that the Government would move to dismiss count two of the bill of information. As a result, good cause has been shown for the granting of the motion and the motion will be allowed.

**ORDER**

**IT IS, THEREFORE, ORDERED** that the Motion to Dismiss Count Two in Bill of Information as to Named Defendant (#153) is hereby **ALLOWED** and Count Two as to the Bill of Information is **DISMISSED**.

Signed: October 20, 2014

Dennis L. Howell  
Dennis L. Howell  
United States Magistrate Judge

